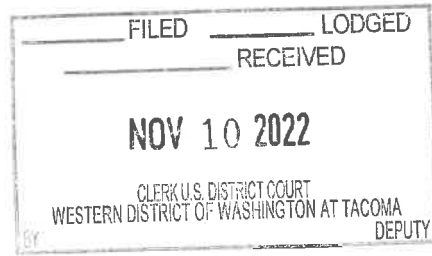


The Honorable David W. Christel



UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,
Plaintiff,

v.

BRANDON KUPER,
Defendant.

NO. MJ22-5250 DWC

MOTION FOR DETENTION ORDER

The United States moves for detention of the Defendant, pursuant to
18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because this
case involves (check all that apply):

- ☒ Crime of violence (18 U.S.C. § 3156)
- ☐ Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum
sentence of ten years or more
- ☐ Crime with a maximum sentence of life imprisonment or death
- ☐ Drug offense with a maximum sentence of ten years or more
- ☐ Felony offense and defendant has two prior convictions in the four
categories above, or two State convictions that would otherwise fall within
these four categories if federal jurisdiction had existed

- 1 ___ Felony offense involving a minor victim other than a crime of violence
- 2 ___ Felony offense, other than a crime of violence, involving possession or use
- 3 of a firearm, destructive device (as those terms are defined in 18 U.S.C.
- 4 § 921), or any other dangerous weapon
- 5 ___ Felony offense other than a crime of violence that involves a failure to
- 6 register as a Sex Offender (18 U.S.C. § 2250)
- 7 X Serious risk the defendant will flee
- 8 X Serious risk of obstruction of justice, including intimidation of a
- 9 prospective witness or juror
- 10 ___ Probable cause to believe the defendant has been found guilty of an offense
- 11 and is awaiting imposition of a sentence under 18 U.S.C. § 3143(a) and
- 12 Federal Rule of Criminal Procedure 32.1(a)(6).

13 2. Reason for Detention. The Court should detain defendant because there are
 14 no conditions of release which will reasonably assure (check one or both):

- 15 X Defendant's appearance as required
- 16 X Safety of any other person and the community

17 3. Rebuttable Presumption. The United States will invoke the rebuttable
 18 presumption against defendant under § 3142(e). The presumption applies because:

- 19 ___ Probable cause to believe defendant committed offense within five years of
- 20 release following conviction for a “qualifying offense” committed while on
- 21 pretrial release
- 22 ___ Probable cause to believe defendant committed drug offense with a
- 23 maximum sentence of ten years or more
- 24 ___ Probable cause to believe defendant committed a violation of one of the
- 25 following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or
- 26 kidnap), 2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism)
- 27

1 X Probable cause to believe defendant committed an offense involving a
2 victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242,
3 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3),
4 2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425

5 ___ Probable cause to believe the defendant has been found guilty of an offense
6 and is awaiting imposition of a sentence under 18 U.S.C. § 3143(a) and
7 Federal Rule of Criminal Procedure 32.1(a)(6).

8 4. Time for Detention Hearing. The United States requests the Court conduct
9 the detention hearing:

10 X At the initial appearance

11 ___ After continuance of ___ days (not more than 3)

12
13 DATED this 10th day of November, 2022.

14
15 Respectfully submitted,

16 NICHOLAS W. BROWN
17 United States Attorney

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20 MAX B. SHINER
21 Assistant United States Attorney
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